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BEFORE THE HON'BLE STATE ADMINISTRATIVE TRIBUNAL BENCH

AT RAIPUR, CHHATTISGARH

Original Application No._____/2002

Shyam Sundar Sharma,
Son of Shri Harnarayan Sharma,
Age 35 years, Assistant Teacher,
Posted at Primary School Gadadih,
District Dhamtari (C.G.)

2. Smt. Hemlata,
Wife of Shri Salik Ram Beldar,
Age 36 years, Assistant Teacher,
Posted at Primary School, Pachpedi,
District Dhamtari (C.G.)

3. Ashok Kumar,
Son of Shri Dashrath Lal Sinha,
Age 31 years, Assistant Teacher,
Posted at Middle School, Gatapar,
District Dhamtari (C.G.)

4. Lokesh Kumar
Son of Shri Dowan Lal Gurupanchayan,
Age 27 years, Assistant Teacher,
Posted at Primary School, Korra,
District Dhamtari (C.G.)

5. Girwar Prasad,
Son of Shri Bahur Lal Sahu,
Age 39 years, Assistant Teacher,
Posted at Primary School, Korra,
District Dhamtari (C.G.)

6. Dwarika Kamardey,
Son of Shri Man Singh,
Age 48 years, Assistant Teacher,
Posted at Primary School,Semra
District Dhamtari (C.G.)

7. Poona Ram
Son of Shri Keloo Ram Sahu,
Age 42 years, Assistant Teacher,
Posted at Primary School, Khapri,
District Dhamtari (C.G.)

8. Nand Kishor Sahu,
Son of Shri Harkhoo Ram Sahu,
Age 37 years, Assistant Teacher,
Posted at Middle School Bhiriya,
District Dhamtari (C.G.)

9. Benu Ram Sahu,
Son of Shri Hirau Ram Sahu,
Age 40 years, Assistant Teacher,
Posted at Primary School, Donar,
District Dhamtari (C.G.)

10. Vijendra Singh,
Son of Shri Chandrabhan Singh,
Age 40 years, Assistant Teacher,
Posted at Middle School, Udena,
District Dhamtari (C.G.)

11. Chunni Lal Turiya,
Son of Shri Ramkishan,
Age 41 years, Assistant Teacher,
Posted at Middle School, Piparchhedi,
District Dhamtari (C.G.)

12. Dowan Lal Sahu,
Son of Shri Ramji Sahu,
Age 43 years, Assistant Teacher,
Posted at Primary School, Piparchhedi,
District Dhamtari (C.G.)

13. Chhedan Lal Sahu,
Son of Shri Ghansi Ram Sahu,
Age 40 years, Assistant Teacher,
Posteda at Primary School, Kharenga,
DistrictmDhamtari (C.G.)

14. Jhanna Lal Sharma,
Son of Shri Dwarika Prasad,
Age 44 years, Assistant Teacher,
Posted at Primary School, Dahi,
District Dhamtari (C.G.)

15. Mahesh Kumar Mishra,
Son of Shri Ishwari Lal,
Age 38 years, Assistant Teacher,
Posted at Middle School, Gagra,
District Dhamtari (C.G.)

16. Kishor Kumar Sahu,
Son of Shri Homan Lal,
Age 36 years, Assistant Teacher,
Posted at Primary School, Sambalpur,
District Dhamtari (C.G.)

17. Nihal Singh Patel,
Son of Shri Raghubar Prasad,
Age 40 years, Assistant Teacher,
Posted at Primary School, Gagra,
District Dhamtari (C.G.)

18. Shri Ram Sahu,
Son of Shri Brijlal Sahu,
Age 38 years, Assistant Teacher,
Posted at Middle School Devpur,
District Dhamtari (C.G.)

19. Krishna Kumar Sen,
Son of Shri Shankar Lal Sen,
Age 42 years, Assistant Teacher,
Posted at Middle School, Jhiriya,
District Dhamtari (C.G.)

20. Keju Ram Nirmalkar,
Son of Shri Sukh Ram
Age 40 years, Assistant Teacher,
Posted at Primary School, Gagra,
District Dhamtari (C.G.)

21. Anand Prasad Sahu,
Son of Shri Kodu Ram Sahu,
Age 33 years, Assistant Teacher,
Posted at Middle School Dahi,
District Dhamtari (C.G.)

22. Smt. Sheela Chandrakar,
Wife of Shri Devnarayan,
Age 41 years, Assistant Teacher,
Posted at Primary School, Jhiriya,
District Dhamtari (C.G.)

23. Premu Ram Sahu,
Son of Shri Narayan Singh,
Age 37 years, Assistant Teacher,
Posted at Primary School Dhourabhatha,
District Dhamtari (C.G.)

24. Sukh Ram Kosre,
Son of Shri Bhogdu Ram
Age 46 years, Assistant Teacher,
Posted at Primary School Udena,
District Dhamtari (C.G.)

25. Yogeshwar Sahu,
Son of Shri Budh Ram Sahu,
Age 43 years, Assistant Teacher,
Posted at Middle School Bhothali,
District Dhamtari (C.G.)

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26 Uday Ram Markam,
Son of Shri Chaitu Ram Markam,
Age 38 years, Assistant Teacher,
Posted at Primary School, Gopalpuri,
District Dhamtari (C.G.) .. Applicants

Versus

1. State of Chhattisgarh,
Through Secretary,
School Education Department,
Mantralaya, D.K.S.Bhawan,
Raipur, Chhattisgarh.

2. Director,
Public Instructions, Pension Bada,
Raipur, Chhattisgarh.

3. District Education Officer,
District Dhamtari (C.G.) .. Non-Applicants

APPLICATION UNDER SECTION 19 OF STATE ADMINISTRATIVE TRIBUNAL ACT 1985:

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.4524 OF 2005

Petitioners : Sandip Dubey and others

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.4637 OF 2005

Petitioners : Shyam Sundar Sharma and others

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.4407 OF 2005

Petitioners : Umesh Dwivedi and another

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.4410 OF 2005

Petitioners : Smt. Anju Raghav and another

versus

Respondents : State of Chhattisgarh and others

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WRIT PETITION (S.) NO.4082 OF 2005

Petitioners : Ashok Kumar Deonath and others

versus

Respondents : State of Chhattisgarh and others

WRIT PETITION (S.) NO.4521 OF 2005

Petitioners : Chandrakant Sahu and others

versus

Respondents : State of Chhattisgarh and another

Present : Mr. Anupam Dubey and Mr. Kunal Das, counsel for the petitioner(s).

Mr. V.V.S.Moorthy, Deputy Advocate General with Ms. Sunita Jain, Panel Lawyer for the State/respondents.

ORDER

(Passed on 15th Day of December, 2006)

Learned counsel appearing for the petitioners as also for the State/respondents jointly submit that the facts and question of law involved in the present batch of writ petitions are squarely covered by the decision of this Court in the case of ***Yashwant Kumar Bharadwaj*** vs. ***Municipal Corporation, Durg and another***[1] .

2. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma*** vs. ***The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on

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15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (*Gopesh Kumar Verma* vs. *The State Govt. of Chhattisgarh and another*) (Supra).

3. For the aforementioned reasons, the writ petitions are disposed of in terms of the decision of this Court in the matter of *Yashwant Kumar Bharadwaj* (Supra), subject to verification of the fact as to whether the petitioners have acquired B.Ed./B.T.I./D.Ed. Certificates at their own expenses as per the circulars dated 24-12-1998 and 1-3-1999 and further whether they have been paid two advance increments or not. No order as to costs.

4. A copy of this order be placed on the record of the connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge

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Gopal